

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	Case No. 01-01139 (JJF)
W.R. GRACE & CO., <i>et al.</i> ,)	Jointly Administered
)	Objection Deadline: December 21, 2004
Debtors.)	Re: D.I. No.: 6898

**OBJECTION OF OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS TO DEBTORS' MOTION FOR ENTRY OF A
CASE MANAGEMENT ORDER ESTABLISHING PROTOCOLS FOR LITIGATING
ASBESTOS-RELATED CLAIMS FOLLOWING PLAN CONFIRMATION**

The Official Committee of Asbestos Personal Injury Claimants ("Committee") hereby objects to Debtors' Motion for Entry of a Case Management Order ("Motion"). As the title of Debtors' Motion itself indicates, Debtors seek an order establishing "protocols for litigating asbestos-related claims *following plan confirmation*." Because no Plan has been confirmed, entry of a Case Management Order ("CMO") at this juncture would be entirely speculative. Debtors' proposed CMO can only be fully evaluated in the context of confirmation of a plan. Accordingly, Debtors' Motion should be denied as premature.

In any event, the Committee has objected to Debtors' Proposed Plan of Reorganization and Disclosure Statement for reasons that go to the essence of Debtors' Proposed Plan and render it unconfirmable as a matter of law. Because Debtors' proposed CMO hinges on approval of Debtors' Proposed Plan, it is fundamentally flawed and should be rejected for similar reasons.

In the unlikely event Debtors' Proposed Plan proceeds to confirmation, the Committee reserves the right to file detailed, specific objections to the CMO at that time.

CONCLUSION

WHEREFORE, the Official Committee of Asbestos Personal Injury Claimants respectfully request that the Court enter an order (i) denying the Debtors' Motion for Entry of a Case Management Order Establishing Protocols for Litigating Asbestos-Related Claims Following Plan Confirmation; and (ii) granting such other and further relief as the Court deems just and proper.

Dated: December 21, 2004

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